In the High Court of Punjab and Haryana, Chandigarh

C.W.P. No. 17695 of 2006

Date of Decision: 10.11.2006

Kusam Sharma and another

…Petitioners

Versus

Punjab and Haryana High Court and others

…Respondents

CORAM: HON'BLE MR. JUSTICE M.M. KUMAR

HON'BLE MR. JUSTICE M.M.S. BEDI

PRESENT: Mr. Anupam Bhardwaj, Advocate,
for the petitioners.

JUDGMENT

M.M. KUMAR, J. (Oral)

This petition filed under Article 226 of the Constitution prays for issuance of a writ in the nature of mandamus directing respondent No. 1 to consider the case of the petitioners for compassionate appointment in accordance with the instructions issued by the Department of Personnel and to appoint respondent No. 2 in place of his father, who died in harness on 21.5.2004 after serving 27 years. It is claimed that Shri Gopal Krishan, husband of petitioner No. 1 and father of respondent No. 2, was the only bread

earner of the family. He is survived by wife, two daughters and a son. Petitioner No. 1 vide Annexure P-2 approached respondent No. 1 with a request to appoint petitioner No. 2 on compassionate ground. It has further been claimed that she has also furnished the documents and information which were asked for by respondent No. 1. She again made a detailed representation on 25.5.2006 (P-10). It has been asserted that respondent Nos. 2 to 9, who are similarly situated person, have already been granted compassionate appointment by respondent No. 1. However, the representations and request made by petitioner No. 1 have not been considered.

In view of above, without going into the merits of the case, we deem it just and appropriate to direct respondent No. 1 to take cognizance of the representations sent by petitioner No. 1 and decide the same expeditiously preferably within a period of two months from the date a certified copy of this order is presented to him. If the claim of the petitioners is found to be meritorious and decided in their favour then the needful shall be done within a further period of one month thereafter. It shall be appreciated if a speaking order is passed.

Petition stands disposed of in the above terms.

(M.M. KUMAR)
JUDGE

(M.M.S. BEDI)

November 10, 2006 **JUDGE**

Pkapoor